LS-8954
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OGC Has Reviewed

2 August 1954

MEMORANDUM FOR: DD/P-Admin

SUBJECT: Reimbursement for Delayed Travel of Dependent of [redacted] 25X1A9a

25X1A9a 1. This will acknowledge receipt of your request for our comments on the application of [redacted] for waiver of Agency Regulations relating to travel of his dependent son, the son being presently in 25X1A6a [redacted] in the middle of a two-year course of study. The file indicates 25X1A9a that [redacted], following the refusal of the Army to extend the period of his detail with the Agency, returned to the United States in March 1954 from his post as Chief of the [redacted] Station and has since 25X1A6a left CIA to return to his regular Army duties.

25X1A

25X1A 2. There is no question but that under [redacted]

25X1A [redacted] 25X1A

25X1A [redacted]

of the Government. In our opinion, the action requested by [redacted] 25X1A

25X1A9a [redacted] would run afoul of both conditions. With respect to the first, there is no indication in the file that the travel of [redacted]

25X1A9a 25X1A6a son to [redacted] was approved in advance, or that the travel of his son from [redacted] to the United States is provided for as part of the travel

25X1A9a 25X1A6a orders returning [redacted] to this country in March. With respect to the second, we fail to see how the best interests of the Agency could be served by the waiver. The decision to send [redacted] 25X1A

25X1A9a [redacted] s son to [redacted] appears to have been a personal one in which

25X1A6a the Agency did not participate. It also appears to have been made without regard for the fact that the [redacted] period of detail from the Army 25X1A would expire in one year; and although a request for an extension was being presented to the Army, there was no certainty that it would be granted, as indeed it was not.

25X1A9a 3. Our opinion is, therefore, that [redacted] s request may legally be granted, provided that his orders are in proper form and provided that the approval has a basis in convenience to the Government with respect to his son's travel. From the facts shown in the file, it does not appear to us that either proviso may be met.

OGC/TMF:mm:afb
Distribution:
Orig & 1 - Addressee
1 - chrono 1 - subject
1 - legal 1 - vital 1 - signer

25X1A9a
[redacted]
Office of General Counsel